

FILED  
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT 2004 OCT 25 P 3: 26  
DISTRICT OF MASSACHUSETTS

U.S. DISTRICT COURT  
DISTRICT OF MASS.

TRUSTEES OF THE PLUMBERS AND GASFITTERS'  
LOCAL UNION NO. 12 WELFARE, PENSION,  
ANNUITY & EDUCATION FUNDS, LMCT FUND,  
INDUSTRY FUND, PLUMBERS UNION LOCAL 12 and  
its FRINGE BENEFIT FUNDS

Plaintiffs

VS.

P.M.B. MECHANICAL, INC. and  
PAUL M. BARRERA

Defendants

Civil Action No.:  
04-11820-RCL

October 22, 2004

**MOTION FOR DEFAULT FOR FAILURE TO PLEAD**

The Plaintiffs in the above-captioned action hereby represent that the time limit for responding to their Complaint has passed and that the Defendants, P.M.B. Mechanical, Inc. and Paul M. Barrera, have failed to respond to the Plaintiffs' Complaint as required by Rule 12(a) of the Federal Rules of Civil Procedure.

**ROBERT M. CHEVERIE & ASSOCIATES, P.C.**

COMMERCE CENTER ONE • 333 EAST RIVER DRIVE • SUITE 101 • EAST HARTFORD, CT 06108 • (860) 290-9810 • FAX (860) 290-9611 • JURIS NO. 405719

WHEREFORE, the Plaintiffs, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, respectfully move this Court to enter default against said Defendants for failure to plead.

THE PLAINTIFFS,

By:



John M. Brown, Esq.  
ROBERT M. CHEVERIE  
& ASSOCIATES, P.C.  
333 East River Drive Suite 101  
East Hartford, CT 06108  
Tele. No.: (860) 290-9610  
BBO # 651103  
THEIR ATTORNEY

### CERTIFICATION

I hereby certify that a copy of the foregoing Motion for Default for Failure to Plead has been mailed, first-class and postage prepaid, this 22<sup>nd</sup> day of October 2004 to the following:

P.M.B. Mechanical, Inc.  
*c/o Its President:*  
Paul M. Barrera  
Business and Residence:  
44 Grove Street  
Lynfield, MA 01940

  
JOHN M. BROWN

JTF.12 FUNDS.PMB MECHANICAL  
Motion for Default for Failure to Reply.10.22.04